

SPECIAL MEETING OF THE  
OKLAHOMA WORKERS' COMPENSATION  
COMMISSION

~APPEALS~

Friday June 2, 2017  
9:00 a.m.  
Commission Chambers  
1915 N. Stiles Ave.  
Oklahoma City, Oklahoma  
www.wcc.ok.gov

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*MINUTES*

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Members present: Chairman Bob Gilliland, Commissioner Mark Liotta and Commissioner Russell.

Staff present to support the Commission: Lindsey Christopher and Dana Esparza.

**CALL TO ORDER ..... Presiding Appellate Officer, Chairman Gilliland**

Call to order 9:00 a.m. by Chairman Gilliland, Presiding Appellate Officer.

**ROLL CALL ..... Presiding Appellate Officer, Chairman Gilliland**

After the roll call was taken, Chairman Gilliland announced the presence of a Quorum and the Statement of Compliance with the Open Meeting Act was read.

**NOTICE OF COMPLIANCE..... Dana Esparza**

**STATEMENT OF OKLAHOMA OPEN MEETING LAW**  
**COMPLIANCE**

Notice of this Regular Meeting was filed with the Secretary of State's office on Thursday, May 3, 2017 at 3:18 p.m., in compliance with the Open Meeting Act.

The Agenda was posted at 2:45 p.m. on Wednesday, May 31, 2017, more than 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 North Stiles, the Commission's principal office.

**MINUTES:**

- The drafted Minutes of the Regular Meeting of May 19, 2017 were considered for approval.

Presiding Appellate Officer Chairman Gilliland presented the minutes of the May 19, 2017 Regular Meeting for approval.

**Motion:** Commissioner Liotta made a motion to approve the minutes of the May 19, 2017 Regular Meeting.

**Second:** Commissioner Russell

**Those Voting Aye:** Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: MINUTES APPROVED**

**Appeal Hearings before the Commission En Banc from Orders Issued by the Commission's Administrative Law Judges**

**Jarvis J. Smith v. Warehouse Specialists, Inc. & Travelers Indemnity Co. of America, File # CM2014-09628Q**

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Bryce A. Hill represented the Claimant and Mitchell C. Maurer represented the Respondent.

**Motion:** After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Liotta moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Presiding Appellate Officer Chairman Gilliland

**Those Voting Aye:** Presiding Appellate Officer Chairman Gilliland, and Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**Bruce D. Ross v. City of Tulsa (Own Risk #10435), File # CM2014-09949R**

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Esther Sanders represented the Claimant and Steven Kuperman represented the Respondent.

**Motion:** After reviewing the record, hearing oral argument of counsel and deliberating, Presiding Appellate Officer Chairman Gilliland announced that the Commission is taking this case under advisement and to be continued for further action at a future Commission meeting.

**TAKEN UNDER ADVISEMENT**

**Judy Buller v. Greenbriar Nursing Home & Guarantee Insurance Company File # CM2015-04026K**

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. Daniel M. Davis represented the Claimant and James B. Cassody represented the Respondent.

**Motion:** After reviewing the record, hearing oral argument of counsel and deliberating, Presiding Appellate Officer Chairman Gilliland moved to affirm the Administrative Law Judge's order and authorize the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Commissioner Liotta

**Those Voting Aye:** Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**Kalin M. Lomoe v. Casteels Tire Barn, Inc. & Compsource Mutual (FKA Compsource Oklahoma) File # CM2015-04766A**

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Timothy Kent represented the Claimant and John S. Oldfield Jr. represented the Respondent.

**Motion:** After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Liotta moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Commissioner Russell

**Those Voting Aye:** Presiding Appellate Officer Chairman Gilliland, and Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**Stephen Lewis v. City of Ardmore (OWN RISK #11905) File # CM2016-01052H**

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Nichole Bell represented the Claimant and Charles G. Braun represented the Respondent.

**Motion:** After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Russell moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Presiding Appellate Officer Chairman Gilliland

**Those Voting Aye:** Presiding Appellate Officer Chairman Gilliland, and Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**Pamela Gilliam v. DHS & Compsource Mutual Insurance Co. (FKA Compsource Oklahoma) File # CM2015-01282A**

Respondent filed an appeal from the order issued by Administrative Law Judge Sommer. Timothy Kent represented the Claimant and Michael Fagan represented the Respondent.

**Motion:** After reviewing the record, hearing oral argument of counsel and deliberating, Presiding Appellate Officer Chairman Gilliland moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Commissioner Liotta

**Those Voting Aye:** Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**David Horton v. Longtown Rural Water District & Compsource Mutual (FKA Compsource Oklahoma) File # CM2015-04734L**

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Nichole Bell represented the Claimant and Dana L. Gish represented the Respondent. Both parties waived oral argument.

**Motion:** After reviewing the record and deliberating, Commissioner Russell moved to affirm the Administrative Law Judge's order and issue an order

authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Commissioner Liotta

**Those Voting Aye:** Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**John Selph v. Partners Workforce & Compsource Mutual Ins. Co (FKA Compsource Oklahoma), File # CM2016-03862J**

Claimant filed an appeal from the order issued by Administrative Law Judge Curtin. Charles Simons represented the Claimant and Todd Saucedo represented the Respondent.

**Motion:** After reviewing the record, hearing the oral argument of counsel and deliberating, Commissioner Liotta moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Commissioner Russell

**Those Voting Aye:** Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**Shelia Twyman v. Kibois Community Action Foundation Inc., & Compsource Mutual Ins. Co.(FKA Compsource Oklahoma), File # CM2014-11631A**

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Christian Henry represented the Claimant and Jennifer Ahrend represented the Respondent.

**Motion:** After reviewing the record, hearing the oral argument of counsel and deliberating, Presiding Appellate Officer Chairman Gilliland moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Commissioner Russell

**Those Voting Aye:** Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**Commission Consideration of Adoption of Final Order in the Following Case:**

**In the Matter of the Death of Brian A. Lott, Taniyah Lott v. Supported Community Lifestyles Inc., & Compsource Mutual Ins. Co. (FKA Compsource Oklahoma) File #CM2015-08491X**

On May 19, 2017, after hearing the oral argument of counsel and deliberating, Commissioner Liotta moved to affirm the Administrative Law Judge's order and instruct Commission Counsel or another staff member to draft a proposed order with findings of fact and conclusions of law.

After reviewing the record, hearing oral arguments, and deliberating, a proposed order was drafted and considered for adoption by the Commission.

***Motion:*** Commissioner Liotta moved to adopt the order as proposed.

***Second:*** Commissioner Russell

***Those Voting Aye:*** Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: ORDER ADOPTED**

**Announcements**

Commission's next special business meeting is Thursday, June 15, 2017. Commission's next meeting regarding Appeals is scheduled for Friday, June 16, 2017.

**ADJOURNMENT**

***Motion:*** Presiding Appellate Officer Chairman Gilliland moved to adjourn the meeting at approximately 1:13 p.m.

***Second:*** Commissioner Liotta

***Those Voting Aye:*** Presiding Appellate Officer Chairman Gilliland, Commissioner Liotta and Commissioner Russell.

**THE MOTION CARRIED: THE MEETING WAS ADJOURNED.**